UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

WAIVER OF INDICTMENT

DAVID MCQUILLIN,

07 Cr.

Defendant.

DAVID MCQUILLIN, the above-named defendant, who is accused of violating Title 18, United States Code, Sections 371 and 2; Title 15, United States Code, Sections 78j(b) and 78ff; Title 17, Code of Federal Regulations, Section 240.10b-5, being advised of the nature of the charges and of his rights, hereby waives, in open Court, prosecution by indictment and consents that the proceeding may be by information instead of by indictment.

Date:

New York ✓ New York January γ , 2007

USDC SDNY **DOCUMENT** ELECTRONICALLY FILED DATE FILED: JAN-0